

REMARKS

Status of Claims

Upon entry of this Response, claims 1-18 remain pending in the application.

Finality of the Office Action

In response to the Final Office Action, Applicants respectfully request that the Examiner consider the following remarks because the claims as they stand are in condition for allowance due at least in part to the accompanying declarations of the inventors under 37 C.F.R. 1.131.

Withdrawn Rejections

Applicants thank the Examiner for carefully considering Applicants' claim amendments and arguments submitted June 14, 2005, and for withdrawing rejections made in the previous Office Action.

Claim Rejections under 35 U.S.C. § 103

(a) Claims 1-4, 5-9, 11-13, 15, 16, and 18 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,377,571 issued to Tai ("*Tai*") in view of US Patent Publication No. 2003/0079121 issued to Gilman et al. ("*the Gilman reference*"). Applicants note that the *Gilman* reference possesses a priority date of October 19, 2001. Applicants have included declarations pursuant to 37 CFR 1.131 from each of the inventors that provides evidence of prior invention, including reduction to practice. In particular, the declarations include Exhibit "A" is a copy of an Invention Disclosure form submitted by each of the present inventors to the legal department of Hewlett-Packard Development Co., L.P., the Assignee of record, prior to October 19, 2001 (the earliest priority date of "*Gilman*"). The invention disclosure includes details of the method, program, and systems described in part or in whole at least in independent claims 1, 8, 12, and 15 (with like features contained in respective dependent claims as well). In particular, the invention disclosure discusses on pages 2-4 a network tunneling method, a program embodied in a computer readable medium that provides network access tunneling system, and a network tunneling system as recited in independent claims 1, 8, 12, and 15.

Therefore, because the inventors all contributed to the subject matter of the invention disclosure, the inventors reduced the invention to practice prior to the filing

date of the *Gilman* reference. Dates have been redacted in the document in accordance with applicable USPTO rules. Thus, because the *Gilman* reference possesses a priority date that is unsatisfactory as anticipatory art, it also cannot be applied as a reference under 35 U.S.C. 103(a). Since the rejection of the claims 1, 8, 12, and 15 depends on the combination of *Tai* in view of *Gilman*, Applicants respectfully request that the rejection of independent claims 1, 8, 12, and 15 be withdrawn. For at least these reasons, the other pending claims are also allowable over *Gilman*.

Applicants fully reserve the right to argue the distinctions of the claimed invention over the cited combination of references if necessary.

(b) Claims 4, 10, 14, and 17 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *Tai* in view of US Patent 6,775,366 issued to Cobbett et al. ("*Cobbett*"). Applicants note that claims 4, 10, 14, and 17 ultimately depend, respectively, from independent claims 1, 8, 12, and 15. Claims 1, 8, 12, and 15 have not been rejected under the combination of *Tai* in view of *Cobbett*. Accordingly, Applicants assert that the cited combination of references fails to render claims 4, 10, 14, and 17 obvious for at least the reasons discussed above with reference to claims 1, 8, 12, and 15. Therefore, for at least this reason, Applicants request that the rejection of claims 4, 10, 14, and 17 be withdrawn.

However, in the event that the Examiner intended to also reject the independent claims 1, 8, 12, and 15 as obvious over *Tai* in view of *Cobbett*, Applicants respectfully traverse any rejection of those claims as well. As admitted in the Office Action, "*Tai* does not expressly disclose utilizing a portable device nor does he disclose preventing access by the portable device to a plurality of devices on the internal network while tunneling the access to the plurality of devices on the external network." *Office Action* at 3 (emphasis added). Thus, there are at least two deficiencies of *Tai* with respect to the independent claims. *Cobbett* does not cure either of these deficiencies. No where in *Cobbett* does the reference teach or suggest either utilizing a portable device, or preventing access by the portable device to a plurality of devices on the internal network while tunneling the access to the plurality of devices on the external network.


Because dependent claims 4, 10, 14, and 17 incorporate all of the features of independent claims 1, 8, 12, and 15, the combination of *Tai* in view of *Cobbett* does

not teach or suggest all of the features of claims 4, 10, 14, and 17. Therefore, Applicants request that the rejection be withdrawn.

CONCLUSION

Applicants respectfully request that all outstanding objections and rejections be withdrawn and that this application and all presently pending claims be allowed to issue. If the Examiner has any questions or comments regarding Applicants' response, the Examiner is encouraged to telephone Applicants' undersigned counsel.

Respectfully submitted,


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